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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

DENISE DROESCH and SHAKARA
THOMPSON, individually, and on behalf of
all others similarly situated,

Plaintiffs,

vs.

WELLS FARGO BANK, N.A., a United
States Corporation, and DOES 1 - 100,
inclusive,

Defendants.

Case No. 3:20-cv-06751-JSC

**DECLARATION OF COLIN
CROMWELL IN SUPPORT OF
DEFENDANT WELLS FARGO BANK,
N.A.'S MOTION TO COMPEL
INDIVIDUAL ARBITRATIONS OF
PLAINTIFF DROESCH'S AND CERTAIN
OPT-IN PLAINTIFFS' CLAIMS, AND TO
DISMISS SUCH CLAIMS**

Judge: Hon. Jacqueline Scott Corley
Courtroom.: E

Complaint Filed: September 28, 2020

1 I, Colin Cromwell, declare as follows:

2 1. I am employed as an Employee Relations Consultant for Wells Fargo Bank, N.A.
3 (“Wells Fargo”). I make this declaration in support of Wells Fargo’s Motion to Compel
4 Individual Arbitrations of Plaintiff Droesch’s and Certain Opt-in Plaintiffs’ Claims, and to
5 Dismiss Such Claims. I am over the age of 18 and all of the information set forth herein is based
6 upon my personal knowledge. If called and sworn as a witness, I could and would competently
7 testify thereto.

8 2. As an Employee Relations Consultant for Wells Fargo, I have access to personnel
9 records of current and former Wells Fargo employees, including Plaintiff Denise Droesch (“Ms.
10 Droesch”) and the Opt-in Plaintiffs, i.e., Taishia Bell, James Galligan, Jonathan Harrison, and
11 Tavares Speer. Such personnel records are stored in Wells Fargo’s human resources database and
12 are business records maintained and relied upon by Wells Fargo in the ordinary course of
13 business.

14 3. Wells Fargo provides commercial, retail, institutional, and individual financial
15 services across the United States. Wells Fargo provides services to clients all across the United
16 States. Wells Fargo hires employees from across the nation. Wells Fargo also provides services,
17 such as community banking, consumer lending, student loans, and wealth management services,
18 which require the transfer of financial assets across state and international lines.

19 4. As an Employee Relations Consultant, I am involved in and have knowledge of
20 Wells Fargo’s practices for distributing employment-related documentation to employees,
21 including the Wells Fargo Mutual Arbitration Agreement (“Arbitration Agreement” or
22 “Agreement”). Since December 2015, employees, like Ms. Droesch and the Opt-in Plaintiffs, are
23 provided a copy of Wells Fargo’s Arbitration Agreement at the start of their of employment.
24 Employees are required to accept and sign the Arbitration Agreement as a condition of their
25 employment with Wells Fargo.

26 5. I have reviewed Ms. Droesch’s personnel file. Her personnel file contains a Wells
27 Fargo Mutual Arbitration Agreement, which was signed by Ms. Droesch on November 7, 2019. A
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1 true and correct copy of the executed Arbitration Agreement, as maintained in Ms. Droesch's
2 personnel file in the ordinary course of business, is attached hereto as **Exhibit A**.

3 6. I have reviewed the personnel file for Taishia Bell. Her personnel file contains a
4 Wells Fargo Mutual Arbitration Agreement, which was signed by Ms. Bell on January 26, 2018.
5 A true and correct copy of the executed Arbitration Agreement, as maintained in Ms. Bell's
6 personnel file in the ordinary course of business, is attached hereto as **Exhibit B**.

7 7. I have reviewed the personnel file for James Galligan. His personnel file contains a
8 Wells Fargo Mutual Arbitration Agreement, which was signed by Mr. Galligan on July 2, 2017.
9 A true and correct copy of the executed Arbitration Agreement, as maintained in Mr. Galligan's
10 personnel file in the ordinary course of business, is attached hereto as **Exhibit C**.

11 8. I have reviewed the personnel file for Jonathan Harrison. His personnel file
12 contains a Wells Fargo Mutual Arbitration Agreement, which was signed by Mr. Harrison on May
13 16, 2016. A true and correct copy of the executed Arbitration Agreement, as maintained in Mr.
14 Harrison's personnel file in the ordinary course of business, is attached hereto as **Exhibit D**.

15 9. I have reviewed the personnel file for Tavares Speer (formerly known as Tavares
16 Barrett). Mr. Speer's personnel file contains a Wells Fargo Mutual Arbitration Agreement, which
17 was signed by Mr. Speer on March 13, 2018. A true and correct copy of the executed Arbitration
18 Agreement, as maintained in Mr. Speer's personnel file in the ordinary course of business, is
19 attached hereto as **Exhibit E**.

20 I declare under penalty of perjury of the laws of the State of California and the
21 United States that the foregoing is true and correct.

22 Executed this 1st day of March 2021 at Atlanta, Georgia.

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24 
COLIN CROMWELL